

# THE DAILY PRESS.

HENRY J. LEE & CO.,  
PUBLISHERS AND PROPRIETORS.

WEDNESDAY JULY 23

## "Can Slavery Exist in the Territories by Virtue of the Common Law?"

This proposition was discussed in the Commercial yesterday. We like to see the bull brought by the horns in this way. We have an unfettered impression that the question is an absurd contradiction in itself, but shall not say so until we have looked at the argument. The decision in the negative, for of course the Commercial did not raise this question until it had the ammunition ready to demolish it. The refutation is as follows. First, the definition of Common Law is settled. Sir Wm. Blackstone says:

"The chief corner stone of the law of England is general, immemorial custom, or Common Law from time to time declared in the Courts of Justice."

The Commercial indorses the definition as being "as accurate as any that can be given of a thing so uncertain." It also quotes much other law, but as it is only cumulative, suppose we stop at Blackstone, and try the proposition by his definition of Common Law.

"Can slavery exist in the Territories by virtue of the common law?" Common law is founded on immemorial custom. Slavery is immemorial custom. So the question really is, can immemorial custom exist in the Territories by the law of immemorial custom? We fear there is something nonsensical about that.

But the Commercial shows that by the common law slavery could not exist in England. Is it not wonderful that where the custom did not exist, there should be no law of immemorial custom to sustain it? Still more remarkable is the conclusion that because there was not the custom in England to make the law, custom cannot make law anywhere else; that, common law is founded on English customs, and cannot go beyond them. Then it is a pleasing delusion that we were an independent nation, with the right to make our own laws.

But slavery did exist under the common law in the British American Colonies. So, even if we were limited to British customs for our common law, we have slavery existing and established in this country under British common law. Neither Blackstone, Mandell Hale ever held that English common law abolished slavery in any of the British dominions where it was the custom; but only in England, where it was not the custom. Yet we find that British common law, which did not prevent the existence of slavery in British Territories, is expected to have virtue to prevent it in the Territories of an independent nation.

British common law has sustained every relation of mankind to each other during the various stages of the progress of that nation. It sustained the Norman conquest, and the division of the lands among the Barons, by which title they are held yet. It sustained villeinage, which was slavery itself. It sustained hereditary Feuds, the system of primogeniture, and an established Church, and it sustained the African slave-trade, and slavery in the Colonies. Is it not miraculous that this common law, which has been the veriest drab in its accommodation to circumstance at home, should have such rigid virtue in a foreign nation, that it can not stomach slavery?

But the triumphant conclusion of the Commercial's argument is but the beginning of difficulties. The position is this: Slavery can not exist by virtue of the common law; it must be established by positive enactment. Then a slave taken into a Territory is free, unless held by special legislation. Then special legislation can make a free man a slave. Then what limit is there to the power to make slaves by legislation? This is popular sovereignty with the hair on! This is immeasurably farther than slavery ever claimed; and this, let it be remembered, is from those who would restrain slavery by original principles! It will not do to say that the power to legislate men into slavery is limited to the African race, because they are the only race that it is customary to enslave, for the very ground of the argument is that custom goes for nothing, except English custom.

When and where in the world was slavery ever made by direct legislation? Never and nowhere. The law never made a slave, and can not. The law recognizes existing relations and conditions, and adapts itself to them. British common law has recognized and protected the African slave trade, and slavery in the West India Islands, and in thirteen of the States of this Union, when it was supreme over them; and now, when we have acquired national independence, we are told that slavery can not exist in the territories without special enactment, because the common law slavery can not exist in England. And this is thought to be reasoning on original and legal principles.

## American Women's Association.

There are few who have ever taken a thought for humanity outside of their own temporal property and their own future safety, who would not rejoice at any successful effort to mitigate the hard fate of destitute women. It is the crying evil of the age. The American Women's Association, of New York, was commenced May 16, 1853. Its object is to afford an opportunity for females, who have no home, to educate themselves by their own exertions, and to learn some way of supporting themselves, in order to save young and unprotected girls from temptation and ruin. What the association is doing in that immense held for such an effort may be best seen by their last annual report, the summing up of which we can only state. During the year past the number of females aided by the Association was 132, at an average expense of \$15.34 for each person. The Association wishes to extend its capacity. For that purpose two ladies of that active Committee, Miss M. L. West and Miss L. Stewart have visited this city to solicit aid from the benevolent. They bring unquestionable credentials, and their mission commands itself to all benevolent hearts.

ATLANTIC FOR AUGUST.—Rickey, Mallory & Co. have received this gem of the magazine for the coming month, with an attractive list of contents. The articles are, "The Carnival of the Romantic," "A Legend of Maryland," "Prince Adol," "Eleusina," "Victor and Jacqueline," "Midsummer," "Tosca," "Shakespeare Done into French," "The Post Singing," "A Journey to Sicily," "The Professor's Story," "Anno Domini 1860," "Darwin on the Origin of Species," "Reviews" and "Literary Notices."

## The House Printing.

It is now stated that the cost of the House printing, which brought so much scandal on the Republican Party last winter, and which was finally so shabbily disposed of, will not be over \$10,000 for the session. A correspondent states that the whole amount of work ordered during the session, which will fall to the House Printer, will not reach \$50,000, of which the contractors pay Mr. Ford twenty per cent, or less than \$10,000. Rather a small sum for an old soldier who considers it his duty to "take care of the wounded."

## Campaign Duets.

It seems by the telegraph that the Douglas and Bell-Everett forces in Georgia have agreed to hold in couples, dividing the Electoral vote between them, if they have any thing to divide. This seems entirely too kind on the part of the Douglas men, who, as we learn by the Cincinnati Enquirer, had a sure thing to carry the State; but as Gen. Lane is in Georgia seeing to things, it is undoubtedly all right.

## The Latest News

BY TELEGRAPH TO THE DAILY PRESS.

Arrival of the Prince of Wales.  
St. Johns, N. F., July 23.—3:30 P. M.—Two large steamers are in sight, coming in, undoubtedly the *Hero* and *Ariadne*, with the Prince of Wales.

The steamship *Golden Fleece*, from New York, is also outside.  
St. Johns, July 23.—The *Hero* and *Ariadne* anchored at five o'clock this evening. The Royal salute was fired from the batteries. There were great crowds on the wharves, and the display of bunting was very fine.

St. Johns, July 24.—Coronets of rain fell last night and this morning. The Prince was landed at ten o'clock, but the landing was postponed till noon to-day, on account of the weather.

At noon to-day, the Prince and suite landed from the *Hero*, under a royal salute from the *Clotel*, the *Ariadne* and *Flying Fish*, the yards of which were manned, as those of the French war steamer *Jeune*.

The Governor, Alexander Bannerman, met His Royal Highness on the Queen's Wharf, and conducted him to a carriage, thence through triumphal arches to the Government House.

The procession consisted of the Masonic body, the St. Andrew's St. George's, British Legion, the Temperance Society, the Irish and Irish Societies, the Phoenix Volunteer Rifle Company and a Guard of Honor of the Royal Newfoundland Corps of the First, Second, Third and Fourth Volunteer Rifle Corps.

At one o'clock the Prince held a levee at the Government House and dined with the Governor this evening. There was an immense concourse of spectators and great enthusiasm prevailed. On Wednesday a regatta will come off. The Prince drives out to receive addresses &c., and will embark on Thursday evening.

To-day is a holiday in Newfoundland. All the shops are closed in St. Johns and the surrounding villages, the inhabitants of which are nearly all here. Flags are flying from nearly every house and the shipping is all decorated.

The Hero, in coming in touched directly over merlin rock, but did not touch it, although it was low water. The rock had been blasted by the telegraph company five years ago.

The rain ceased at eleven o'clock, but the weather is cloudy and threatening.

The Prince rode out on horseback this afternoon in plain clothes, and the ship was in the harbor.

The squadron sails at six o'clock on Thursday morning.

Political News.  
New York, July 24.—The *Times* of Washington correspondent says that private advices from Georgia announce that terms of a union between the Douglasites and Bellites in that State have been agreed upon; each candidate is to have five electors.

CLEVELAND, O., July 24.—David Tod and others addressed a large Douglas meeting in this city last night. Guns were fired, and a torchlight procession paraded the streets.

UTICA, N. Y., July 24.—The ratification meeting of Douglas and Johnson in this city last evening was by far the largest and most enthusiastic political meeting ever held here.

PHILADELPHIA, July 24.—A large Douglas meeting was held here Saturday night. Pierre Soule and John Forsyth were the speakers.

WASHINGTON, July 24.—The delegates are rapidly increasing for the Convention to-morrow. The prospect is that there will be a straight out Douglas ticket, a Breckinridge ticket and a fusion ticket. Both parties are determined, and yet a large number favor a Union ticket.

PHILADELPHIA, July 24.—Early this morning a fire broke out in Henry & Co.'s rag warehouse, on Front-street, above Vine, which was entirely destroyed. Loss \$5,000. The fire extended to Robert & Co.'s cabinet-manufacturing. Loss \$1,000.

Wm. Henry's cotton-waste store-house. Loss \$500.

## Two Days Later from Europe.

ARRIVAL OF THE CANADA.

St. Johns, N. F., July 23.—The Royal Mail Steamship *Canada*, from Liverpool on the 14th, via Queenstown on the 15th, passed Cape Race at six o'clock this (Monday) evening.

The steamship City of Washington, from New York, arrived at Liverpool on the 12th. The *Illinois*, from New York, arrived at Southampton on the 13th.

A dispatch from Cagliari says that the Neapolitan steam corvette *De Lauro*, six guns, has gone over to Garibaldi.

Several steamers have been purchased for Garibaldi, in Liverpool, and two had sailed. The steamer *City of Washington*, from New York, arrived at Liverpool on the 12th instant.

The Paris *Patrie* asserts that the siege of Messina is decided upon. Garibaldi has declined to assist the Neapolitans unless they give similar proofs of confidence as the Sicilians, by a sustained insurrection. Garibaldi's Ministry has resigned.

It was reported that Naples had notified England and France of her intention to offer the Constitution of 1812 to the Sicilians. France had assented thereto, but England hesitated.

In the British Parliament, the Ministers were questioned as to the transfer of the Galway contract to the Canadian Line.

Mr. Gladstone said that the Government did not intend to sanction the transfer, on its own responsibility and whatever course might be taken would be submitted to Parliament.

Sir Robert Peel called on the Government not to assent to the annexation of Sicily to Piedmont.

Lord John Russell replied that the Government could not depart from the great principle that the people had the right to choose their own government without interference.

Lord John Russell explained the position of the proposed European Conference relative to Savoy.

England had accepted the proposition of Prussia, while Austria hesitates. The Government have agreed on identical replies of the other governments.

It was stated in Parliament that the British forces in China reach 17,000 men.

The French Government and Legislature disagreed as to the bill relating to the exportation of rags, and the bill was withdrawn.

The monthly returns of the Bank of France show a decrease in cash, and a rise in bonds. The Bourse was animated and higher. Rentes closed at 93.15c.

The insurrection in Syria continues. Fued Pasha has gone there on a special mission, armed with full powers, and in view of that fact England and France have agreed to abstain from present interference. If Turkey, however, proves incapable, these two Governments have agreed on identical instructions to their Admirals to stop the massacres.

At the destruction of the villages, the Druses killed more than 2,000 unarmed men in cold blood.

There was great alarm at Beirut, and the Franks and Christians had taken refuge on board the foreign men-of-war.

The Calcutta market was dull. Private accounts say that Cotton goods had improved. Freight was dropping. Exchange at Hong Kong, 100/100, and at Shanghai, 100/100.

At Shanghai exchange was quoted at 65s. 6d. 3/4. Trade was improving in tea. Silks dull. Freight unchanged.

COMMERCIAL INTELLIGENCE.  
Liverpool Cotton Market was steady: sales of Friday, 10,000; of Saturday, 8,000 bales; prices as follows:—

Breadstuffs market was quiet. Provision market dull.

London Money Market.—Consols closed at 93 1/4, at 93 1/2.

London Market.—London, July 13.—The advices from Manchester were unfavorable: prices were in favor of buyers, but the tone was rather more cheerful under the satisfactory Calcutta telegraphic dispatch.

Breadstuffs.—The weather has been favorable for crop. Messrs. Richardson, Spence & Co. quote Flour very dry and prices easier, though not much changed; American 20/6 1/2, wheat steady, red 10/3 1/2, white 11/5 1/2, mixed 11/5 1/2, yellow 11/5 1/2, white 11/5 1/2.

Provisions.—Messrs. Wakefield, Nash & Co., Bigland, Adams & Co., and others report Beef heavy and all qualities slightly declined. The decline is mostly on inferior qualities. Pork heavy, and is offered at a reduction. Quotations nominal. Bacon quiet. Lard firm, 6d. 3/4, 6d. 3/4, 6d. 3/4.

The Bullion in the Bank of England has decreased £250,000.

Messrs. Baring Brothers report the market for American securities slow of sale, but prices unchanged. Sugar has been buoyant and 6d. higher, closing quiet, but firm. Rio Coffee quiet.

Liverpool, July 15.—Cotton unchanged: sales to-day of 10,000 bales, including 2,000 for speculation and export. Breadstuffs quiet: sales unimportant. Provisions dull.

London Market.—London, July 13.—Messrs. Baring Brothers' Circular report wheat declining; white 55/8, red 55/8, 55/8. Flour 26/30s. Iron steady. Sugar buoyant, and 6d. higher. Tea heavy, and 3/4d. lower.

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## From Washington.

WASHINGTON, July 24.—Mr. Deftrees has commenced a suit against Mr. Ford, the Printer of the House of Representatives, for the profits, as per agreement, while Messrs. Larcomb and English have sued out an injunction against Mr. Ford, and other parties are also implicated in this complicated question.

Thirty thousand copies of the report of the Corvode Committee have been printed, but the House Printers will not deliver them until the difficulty with Mr. Ford's assignees is settled.

Attorney General Black will leave the city to-morrow for Pennsylvania.

Secretaries Floyd and Thompson contemplate proceeding to Old Point on Thursday, intending to stay several weeks. Mr. Cass also being absent, there will be only three Cabinet officers remaining here, Toucey, Holt and Cobb.

The Administration has recently addressed another note to the British Government on the subject of the San Juan affair.

The President has, during the absence of Secretary Cass, repeated to the State Department, respecting attending to weighty matters pertaining to our foreign affairs.

The attendance at Mr. Gale's funeral to-day was larger than that of any other citizen which has ever taken place here. A large number of the city authorities and the District of Columbia Typographical Society were among those present. Bellows were tolled during the funeral procession, and many places of business were closed.

Lord Lyons is on the eve of departure for Halifax to meet the Prince of Wales.

Arrival of the Pony Express.  
St. Johns, July 24.—The Pony Express, with dates from San Francisco to the 7th inst., arrived here this evening. The Fourth was more generally celebrated throughout the State than usual.

Judge Terry has been acquitted. The witnesses to establish the guilt of Terry were on their way from San Francisco in a small boat, which they were to have in port at the Court-house until the case had gone to the jury.

On the opening of the Court the District Attorney announced that his witnesses had not made their appearance. The case went to the jury without a word of testimony, and under the charge of Judge Hardy, a verdict of acquittal was rendered before ten o'clock.

A fire at Crescent City, on the 27th ult., destroyed property valued at \$6,000.

There had been no recent trouble with the Indians on the Eastern slope of the Sierra Nevada.

Later from Havana.  
NEW ORLEANS, July 23.—Havana advices of the 20th inst. report Sugar firm. Provisions dull. Freight slightly advanced. Sterling Exchange 134 1/2 @ 134 3/4 prem. Sight Exchange on New York 3 1/4 @ 3 1/2 prem.

River News.  
St. Louis, July 24.—P. M.—River declining steadily at the rate of three or four inches per day. Weather clear. Wind light S.W. day, cool and clear. Mercury to-day 84°.

Fire at New Albany.  
NEW ALBANY, July 24.—Messrs. Hunt & Co.'s candle and soap factory was burned last night. Loss \$45,000; insured for \$30,000.

The Connaght at Boston.  
BOSTON, July 24.—The steamer *Connaght*, from Galway, arrived here at midnight.

A Noble Irish Observer.  
The Ballymena (Ireland) Observer, of the 3d of June, records the story of the doings of an Irish girl, whose parents formerly resided in the neighborhood of the town in which that journal is published, substantially as follows: Her father, Wm. McCord, a shoemaker and tenant of a small farm near Ballymena, died in circumstances of pecuniary embarrassment some years ago. At the time of his death his liabilities amounted to nearly £40, and his family were left without a shilling for themselves, or any means for the liquidation of these debts. Soon after his death, about the year 1833, his daughter, Ann McCord, then scarcely twenty years of age, emigrated to America, where she obtained employment as a domestic servant. Having from the outset determined to pay every farthing of her dead father's liabilities, she hoarded her small earnings of her industry with the utmost care, and after six years of incessant toil, her noble aspirations were crowned with success—her ardent desire was accomplished, and the grand aim of all her self-sacrificed exertions was fully achieved.

On the 9th of February last, she sent a letter from No. 99 West Twenty-fourth street, New York, remitting to Mr. James McCord, of Castlegar, a bank order for the sum of £40, to be distributed by that gentleman in payment of her father's debts. The aggregate sum due was £34 3s. 3d. In a postscript she directed that one McCleary should be paid 5s. on the account of his debt, and that the balance of the remittance, £15 11s. 9d., should be presented to her sister, Margaret Wilson.

While a party of Breckinridge men were firing a cannon in Lewis County, Georgia, the other day, two of them were killed by a premature explosion.

## HOME INTEREST.

Clothes renovated and repaired, 120 W. Sixth.

Clothing renovated and repaired, 59 E. Third.

Carpenter's cheap Pictures, 20 Fifth-street.

A Good Chance to Engage in Business.—See "A Partner Wanted," in "Wanted" column.

Picture for ten cents. Johnson's Gallery, Sixth and Main. Mark the place. 79-10

Examine the Photographs at APPELATE's, corner Fifth and Main. Mark the place. 79-10

STAN MARTIN.—A large lot at 25 cents, at M. F. Cullen's, south-west corner of Pearl and Sycamore streets.

GALLES.—M. F. CHALKER, at No. 15 East Pearl-street, is selling the best Gals for \$1.50 worth \$1.75.

If you want a good Picture, call at the south-west corner of Sixth-street and Central-avenue. Pictures taken and put in nice gilt frames for twenty-five cents; in cases for twenty cents. Bring on the babies: you are sure to get a good likeness.

THE GREAT EASTERN.  
BALTIMORE, July 24.—Notwithstanding the general desire to view the *Great Eastern*, the City Council have declined acceptance of the proposition to furnish 2,000 tons of coal as an inducement for the Directors to bring her to Annapolis Roads.

The Baltimore and Ohio Railroad has generously offered to furnish 2,000 tons of coal, at the amount asked for, and probably our citizens, with private contributions, will accept the balance.

From Northern Mexico.  
NEW ORLEANS, July 23.—The steamer *Austin*, from Brazos, on the 20th, arrived here to-day with \$80,000 in specie. The steamer *Conducho*, from Zacatecas, had been seized at Monterey. The revolutionists in Northern Mexico were losing ground. The people in Northern Mexico were in favor of intervention.

## SPECIAL NOTICES.

NEWPORT ELECTION.—WM. H. DEWEY is a candidate for the office of City Marshal at the ensuing election. (12-24)

CANDIDATE FOR CORNER.—The Cincinnati Hospital, in 1867, will be a Candidate for the position of Corner. Refer to Judge Storer, Dr. Puller, from John A. Garley. (12-15)

WE REGRET TO INFORM OUR Friends that we shall assume business at the old stand as soon as we can repair damages, when we shall be happy to supply all with an imitable hair. J. C. POWERS & CO. No. 10 Main-street. (12-21)

IT NEVER FAILS.—DANVILLE, Va. Mr. Wm. H. Deftrees, who is troubled with eruptions and eruptions, I certify that a great many cases have been cured by the use of the invaluable medicine of Palmer's Vegetable Compound Lotion. I have sold it for the past seven years, and never had a case within my knowledge of its failing to be a benefit. Wm. H. Deftrees, Druggist and Bookkeeper. No. 36 West Fourth-street. (12-17)

KENNEY'S MEDICAL DISCOVERY.—Physicians and the most careful druggists throughout the United States, to be the most effective blood-purifier ever known, and to have relieved many suffering, and effected more permanent cures, than any other medicine known. Scrofula, Salt Rheum, Erysipelas, Head-ache, Scaly Eruptions, and other eruptions, cured by a few bottles, and the system restored to full strength and vigor. Full and explicit directions for its use are given in the pamphlet with each bottle. For sale by J. C. POWERS & CO., No. 10 Main-street. (12-21)

SARSFIELD MONUMENT.  
AN ADJOURNED MEETING of the friends of this enterprise will be held AT HANNAN'S HALL Thursday Evening, July 26, at 8.

The Sarsfield Cornet Band have kindly volunteered their services for this occasion. Gentlemen heretofore appointed on committees are particularly requested to be present. All ladies and gentlemen favorable to the proposed monument are respectfully invited to attend. Good speakers will be present and address the meeting. (12-15) H. M. MOORE, Chairman.

Assignee's Sale.  
THE LAST WEEK.  
TRENCHARD'S BARGAINS IN Gold, Silver and Plated Ware, Cutlery, etc., at M. OWENS'S old stand, north-west corner of Main and Fourth-sts. Those desiring to purchase any of the above articles at private sale must call on or send for them to the assignee, who will be on duty at the auction on TUESDAY, July 31, when the whole will be sold without reserve. SAMUEL FROOME, Assignee. (12-24)

Read all who wish to get Rich!  
A BOOK, CONTAINING INSTRUCTIONS how to make a fortune, in a few months, will be sent to any and all persons, on receipt of 25 cents, and a stamp for postage stamps. Address: J. P. DE LUSSE, Agent, 121-17.

LADD, WEBSTER & CO.'S Sewing Machines!  
FIFTY-FIVE DOLLARS.  
Call and see them at 80 West Fourth-st. (12-24)

NEW ADVERTISEMENTS

BENEFIT  
OF THE  
HOME OF THE FRIENDLESS!  
BY ROBERT HELLER.  
At the First Orthodox Congregational Church, FRIDAY, AT 7 P. M. (12-24)

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